

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

JANUARY 13, 2022

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

MINUTES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
JANUARY 13, 2022
RESOLUTIONS

Disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 for the Office of Community Development.

Disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 from the office of City Clerk.

Disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 from the Tax Office.

Appointing Kevin Kandratic to the Parking Authority. (replacing Paul Maher).

Authorizing the proper city officials to purchase a Power Lift Cot System from the Glick Fire Equipment Company, a Costars Vendor, for a purchase of \$60,770.80.

Proclaiming April, 2022 as "Fair Housing Month",

Authorizing the proper city officials to purchase the vehicles listed below from Bonner Chevrolet, a Costars vendor, for a purchase price of \$116,392.00:

- 2022 Silverado Crew Cab
- 2021 Malibu LT
- Two (2) 2022 Malibu LT's

MINUTES

Of the Wilkes-Barre Traffic Community of December 16, 2021

Of the Wilkes-Barre Zoning Hearing Board of November 17, 2021

Of the Wyoming Valley Sanitary Authority of November 16, 2021

CITY COUNCIL

JANUARY 13, 2022

The City Council of the City of Wilkes-Barre met in Regular Session on January 13, 2022, at 6:00 p.m. (Following the Work Session), in City Council Chambers, City Hall, Wilkes-Barre, Pennsylvania, for the purpose of general business. (The meeting was conducted and streamed on YouTube for public viewing due to COVID-19).

The meeting was organized with Chairperson Beth Gilbert McBride in the Chair.

The Pledge of Allegiance to the Flag was given.

The opening prayer was given by Mike Belusko.

Roll Call:

Barrett	-present
Marconi	-present
Brooks	-present
Belusko, Vice Chairperson	-present
McBride, Chairperson	-present

Also Present:

George Brown, Mayor
Tim Henry, City Attorney
Frank Hershberger, IT Director
Philip Bendsen, IT
Cathy Payne, City Clerk
Tracy Smith, Assistant City Clerk
Lisa Sanfilippo, Administrative Assistant

Mrs. McBride announced that the phone line was open for anyone wishing to address Council on pending legislation. There being no one the meeting continued with general business.

Sam Troy, Wilkes-Barre, PA emailed regarding Resolution to purchase the fire and ambulance equipment (luxury or necessity).

Mr. Barrett stated that he is quite certain that all pieces of equipment on the Mayor's agenda are considered necessities.

Mayor Brown spoke on the Power Lift Cot & Load System, which will eliminate the need for manually lifting patients and reducing the risk of injuries to first responders.

Mr. Marconi spoke further on the helpfulness of all the equipment that is on the agenda for tonight.

CONSENT AGENDA (RESOLUTIONS)

Resolution No. R0003-22 to R0009-22 and including the minutes appeared on the Consent Agenda (Resolutions).

RESOLUTION NO. R0003-22

A Resolution of the City Council, of the City of Wilkes-Barre, Luzerne County, Pennsylvania declaring its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008 (as amended March 28, 2019).

Whereas, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and

Whereas, the Municipal Records Manual was approved by said committee on December 16, 2008; and

Whereas, the City of Wilkes-Barre desires to dispose of records according to statutory requirements;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 (as amended March 28, 2019).

Office/Department: OCD

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
No number- Home 19993 Rehab (2 boxes)	2.52
No Number- Misc. OCD Documents 1995-2005	1.26
No Number- Home 1994 Rehab (3 boxes)	3.78
No Number- Home 1995 Rehabs	1.26
CD-13 – Home Rehabs	1.26
CD-6 – 2014 CDBG Subrecipient Agreements	1.26
CD-16 Home 2007 Rehabs	1.26
CD-4- 2014 Public Service Cnts. ESG	<u>1.26</u>
Total	<u>13.86</u>

RESOLUTION NO. R0004-22

A Resolution of the City Council, of the City of Wilkes-Barre, Luzerne County, Pennsylvania declaring its intent to follow schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008 (as amended March 28, 2019).

Whereas, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and

Whereas, the Municipal Records Manual was approved by said committee on December 16, 2008; and

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Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 (as amended March 28, 2019).

Office/ Department: City Clerk

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
No number – 2015 Contracts	1.26
No number – 2008, 2009, 2010 Contracts	1.26
CC-79 2016 Chronological Files	1.26
CC-78 2016 Council Meeting/Council Member Files	<u>1.26</u>
Total	<u>5.04</u>

RESOLUTION NO. R0005-22

A Resolution of the City Council, of the City of Wilkes-Barre, Luzerne County, Pennsylvania declaring its intent to follow schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008 (as amended March 28, 2019).

Whereas, a Local Government Records Committee was created by Act 428 of 1968 and empowered thereby to make rules and regulations for records disposition; and

Whereas, the Municipal Records Manual was approved by said committee on December 16, 2008; and

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Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, that it intends to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008 (as amended March 28, 2019).

Office/Department: Tax Office

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
TO-25 2018 WB Property Tax 3/18-7/18	1.26
TO-26 2018 Tax Bills 11/18- 1/19	<u>1.26</u>
Total	<u>2.52</u>

RESOLUTION NO. R0006-22

Whereas, Section 5:08 of the City Charter of the City of Wilkes-Barre authorizes the Mayor, with the advice and consent of City Council, to appoint by members of city Boards, Commissions and Authorities as provided by law;

Whereas, it is the desire of the City of Wilkes-Barre to appoint the following persons as a member of the Parking Authority of the City of Wilkes-Barre;

Now, Therefore, Be it Resolved, that the following person is hereby appointed as a member of the Parking Authority:

<u>Name</u>	<u>Term Expires</u>
Kevin Kundratic 138 Brown St Wilkes-Barre, PA 18702	December 31, 2025

- Mr. Kundratic is replacing former Authority member Paul Maher.

RESOLUTION NO. R0007-22

Whereas, the City of Wilkes-Barre wish es to purchase a Power Lift Cot & Power Load System (the "Power Lift Cot System") through the Commonwealth of Pennsylvania's Cooperative Purchasing Program ("COSTARS");

Whereas, the Power Lift Cot System will eliminate the need to manually lift the cot into the ambulance and significantly lower the risk of responder injury, a patient fall, or cot failure;

Now, Therefore, Be it resolved by the City Council of the City of Wilkes-Barre that the proper city officials are hereby authorized to purchase a Power Lift Cot System from the Glick Fire Equipment Company, a Costars Vendor, for a purchase price of \$60,770.80.

RESOLUTION NO. R0008-22

Whereas, Fair Housing is a right emphasized by the U.S. Congress beginning with the Civil Rights Act of 1968 and most recently the amendments of 1988 to the Fair Housing Act; and

Whereas, the enactment of the civil rights act of 1968, as amended and strengthened in 1988; Title VIII of which guarantees the right to be free from housing discrimination based on race, color, national origin, religion, sex, familial status, and disability (including AIDS/HIV).

Now, Therefore, Be it Resolved by the City Council of the City of Wilkes-Barre that the month of April 2022, be proclaimed as "Fair Housing Month" in the City of Wilkes-Barre; and

And Be It Further Resolved that the City Council of the City of Wilkes-Barre hereby encourages its citizens and organizations to celebrate diversity and value the harmonious communities of neighbors to support the goal of equal opportunities for all people.

RESOLUTION NO. R0009-22

That the proper city officials are hereby authorized to purchase the vehicles listed below from Bonner Chevrolet, a Costars vendor, for a purchase price of \$116,392.00:

- i. 2022 Silverado Crew cab;
- ii. 2021 Malibu LT; and
- iii. Two (2) 2022 Malibu LT's

MINUTES

Of the Wilkes-Barre Traffic Community of December 16, 2021

Of the Wilkes-Barre Zoning Hearing Board November 17, 2021

Of the Wyoming Valley Sanitary Authority of November 16, 2021

Mr. Brooks moved to adopt the Consent Agenda (Resolutions).

The motion was seconded by Mr. Marconi and adopted by the following yea and nay vote:

Yeas Barrett, Belusko, Marconi, Brooks and McBride (Chairperson) – 5 – being all of the members elected to City Council.

Nays none.

PRESENTATIONS BY COUNCIL MEMBERS

Mr. Marconi asked who is responsible for cleaning the sidewalks on the Market Street Bridge.

Mr. McCormick responded that he believes it's the State's responsibility, but he will have it taken care of since it was not done.

PUBLIC DISCUSSION

Gerald Reisinger, Kingston, PA, phoned in relative to problems at Solomon Creek, flood prevention, the levy system, park clean up, campsites along the river and the amount of money left in the American Rescue Plan.

Mayor Brown stated that the City did not receive the whole amount of \$37.1 million, only half of that has been received to date.

Mayor Brown said all the creeks are scheduled to be cleaned out to help the water flow.

Michael Irish, PA, phoned in relative to fallen trees along the river edges, stating his concern for public safety.

Linda Joseph, Wilkes-Barre, PA, phoned in regarding the \$300 stimulus check (who qualifies and who to contact with questions) and administrative fees paid to CEO.

Mrs. McBride asked if the Mayor Brown could contact Berkheimer directly and get some answers to these questions.

Mayor Brown stated they did this program the best way they thought would work. Berkheimer has the program set up in a way that the people stating they are not eligible just might be. The senior citizens that do not file income tax are still eligible to receive a stimulus check. All questions should be addressed to CEO, Berkheimer or the Mayor's office.

Mr. McCormick said the stimulus program is a three-phase program. Immediate checks are based on the filing of an income tax return. Berkheimer only sent checks out on the income based on the 2020 tax return. The second phase is a post card going out to those who only filed a per capita tax payment explaining how to apply for the stimulus check. The last phase is a paper application for any resident who believes they are eligible.

Mr. Brooks wanted to confirm who the residents should be calling for help or questions because the newspapers are saying not to call Berkheimer or the city.

Mayor Brown stated the residents can call their council person with any questions. If the residents have any questions they can hang onto the check until they get their answers.

Mrs. McBride wanted confirmation on who the residents should be calling.

Mayor Brown confirmed they can call CEO, Berkheimer, their council person and the Mayor's office.

Linda Ross, Wilkes-Barre, called in concerning the responsibility of homeowners to clean their sidewalks after snowstorms.

Mrs. McBride asked if the Mayor could speak to the Health Department to verify that the Ordinance is being enforced.

Mayor Brown stated that Ms. Ross had good ideas concerning this issue. We need to educate the residents that there is an Ordinance, what it is and that citations will be issued. Mayor Brown said he will get with the Health Department to map out a plan of action.

Mrs. McBride suggested a post on social media before the next storm comes this weekend.

Mr. Belusko questioned what department should be enforcing the snow removal Ordinance.

Mayor Brown replied that it would be the Code Enforcement Department.

Mr. Brooks asked how much a citation would be for that violation.

Tim Henry, City Attorney, stated he believes it would be between \$300 to \$1,000 depending on the discretion of the Magistrate.

Mr. Brooks said a press release and social media post regarding the snow removal Ordinance and the fines would be a reminder to residents. He asked if it is a 24 or 48-hour period to have the sidewalks cleaned.

Mr. McCormick replied it is a 48-hour period. He added that the Health Department has been placing Quality of Life violations on resident's doors, but usually the sidewalks are melted by the 48-hour time frame.

Mr. Barrett asked if Quality of Life "Notice to Abate" citations can be given for uncleared sidewalks being they are a safety issue.

Mr. McCormick responded that the problem is that 48-hour time period. The approach is to do the Quality of Life Notice first and hopefully that will address the problem and if it persists a "Notice to Abate" would be issued.

Mr. Barrett stated that the snow and ice situation is a safety hazard, and he feels that a Quality of Life citation would be a better approach.

Mr. McCormick said its difficult to do because of environmental issues and Magistrate enforcement.

Mayor Brown stated they will start the process of better education and consequences to the residents.

Gerald Reisinger, Kingston, PA called back as his initial phone call was disconnected on his end in regard to the importance of cleaning of the stream beds, issues along Riverfront at Kirby Park, meeting with the Mayor regarding the problem.

Bert, Wilkes-Barre, PA regarding the flood plain area, concerning a potential flood with the debris, trees and shrubs along the river around the Market Street Bridge.

Mrs. McBride stated that the Mayor will be addressing the flood issue.

Victor Luchoski, Miners Mills, Wilkes-Barre, calling concerning Exit 2 off the Cross Valley coming and the need for a permanent traffic light.

Mayor Brown said that it is a state road and we could not install a light without further studies and a meeting with PennDot.

Mr. Barrett said that he, Mr. Marconi and Butch Frati, Director of Operations, have been working on this issue for some time now. Mr. Barrett was very dismayed when the temporary light was removed, it was a great solution to the traffic problem there. Mr. Barrett spoke of the fatal crash that happened there after the light was removed. He said he receives many calls on why the light was removed; further stating the light was only there as a detour plan when Exit 3 was being replaced. Mr. Barrett said he has heard from the state that it is the City's responsibility to put a light there which he does not agree with. A light would not be needed if not for the State Route 309 and the ramps that were installed by the State. Mr. Barrett is afraid of more accidents happening there if this is not addressed.

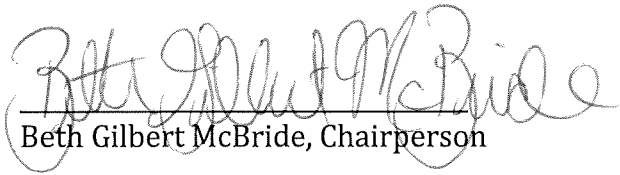
Mr. Marconi said he thinks a Resolution was done concerning the traffic light. He reiterated the fatal crash and the need for it to be addressed.


Mr. Barrett also said he does not feel it is a Traffic Committee problem.

Mayor Brown said he can schedule a meeting between himself, Mr. Marconi, Mr. Barrett, Mr. Frati and State Representative Mr. Pashinki to address the issue.

Nadine Dwyer, Dallas, PA, regarding the preservation work in Wilkes-Barre, the new Visitors Center, a full-time events coordinator, native sacred sites and Riverfront clean up.

There being no further business to discuss the meeting adjourned at 6:46 p.m.


Beth Gilbert McBride, Chairperson


Cathy Payne, City Clerk

